

**SUPREME COURT MINUTES
FRIDAY, MAY 23, 2003
SAN FRANCISCO, CALIFORNIA**

S115788

WALKER (STEVEN ERIC) ON H.C.
Petition ordered withdrawn

Pursuant to written request of petitioner the
above-entitled petition for writ of habeas
corpus is withdrawn.

S116031

H025973 Sixth Appellate District

JIANG v. S.C. (PEOPLE)
Petition for review and application for stay denied

S116052

BROWN (SIDNEY) ON H.C.
Petition for writ of habeas corpus & stay denied

S028339

PEOPLE v. SMITH (GREGORY CALVIN)
Time extended to consider modification or rehearing

to August 6, 2003, or the date upon which
rehearing is either granted or denied,
whichever occurs first.

S070686

PEOPLE v. ROMERO (GERARDO)
Extension of time granted

to July 18, 2003 to file appellant's opening
brief. The court anticipates that after that date,
only two further extensions totaling 120
additional days will be granted. Counsel is
ordered to inform his or her assisting attorney
or entity, if any, and any assisting attorney or
entity of any separate counsel of record, of
this schedule, and to take all steps necessary to
meet it.

S108858

DURAN (OSCAR) ON H.C.
Extension of time granted

to June 23, 2003 for respondent to serve the
informal response.

S113466

C038753 Third Appellate District

MARINE FORESTS SOCIETY v. CALIFORNIA
COASTAL COMMISSION

Extension of time granted

Respondent's Request for Extension of Time, filed on May 22, 2003, is granted in part and denied in part. The due date on Respondent's Answer Brief is extended to Monday, June 16, 2003. No further extension of time will be granted. The request to file Respondent's Brief in the Court of Appeal and a separate Answer Brief on the issues posed by this court is denied. Respondent shall file a single Answer Brief addressing all issues, but that brief may include any argument contained in Respondent's Court of Appeal brief if Respondent so chooses. If necessary, Respondent may request permission to file an oversized brief.

S050455

PEOPLE v. BEAMES (JOHN M.)

Order filed

Appellant's application for relief from default to file appellant's opening brief is granted.

S057063

PEOPLE v. ELLIOT (MICHAEL)

Order filed

Good cause appearing, appellant's request for relief from default is granted. Extension is granted to July 1, 1003 to file appellant's opening brief. After that date, only one further extension totaling about 60 days will be granted. Extension is granted based upon counsel Barry L. Morris's representation that he anticipates filing that brief by 9/1/2003.

S102588

H021153 Sixth Appellate District

DVD COPY CONTROL ASSOC. v. BUNNER

Order filed

The application of Robert. G. Sugarman to appear as pro hac vice for respondent DVD Copy Control Association at oral argument is granted.

S102588

H021153 Sixth Appellate District

DVD COPY CONTROL ASSOC. v. BUNNER
Order filed

The letter filed by counsel for respondent DVD Copy Control Association on May 23, 2003, is treated as a request to divide oral argument time under California Rules of Court, rule 29.2(f)(2). The request to allocate 10 minutes of its oral argument time to amicus curiae Attorney General of California is granted.

S105735

H021239 Sixth Appellate District

KAHN v. EAST SIDE UNION HIGH SCHOOL DIST
Orders filed

The request of counsel for respondent to allow two counsel to argue on behalf of respondent at oral argument is hereby granted.

The request of respondent. to allocate to amicus curiae California Ski Industry Association 10 minutes of respondent's 30-minute allotted time for oral argument is granted.

S106586

H020771 Sixth Appellate District

MEJIA v. REED
Orders filed

The request of counsel for appellant to allow two counsel to argue on behalf of appellant at oral argument is granted.

The request of appellant to allocate to amicus curiae Jeffrey W. Little 10 minutes of appellant's 30-minute allotted time for oral argument is granted.

S114375A096083 First Appellate District,
Division FivePEOPLE v. BRAXTON
Counsel appointment order filed

Upon request of appellant for appointment of counsel, Richard Neuhoff is hereby appointed to represent appellant on his appeal now pending in this court.
Appellant's brief on the merits shall be served

and filed on or before thirty (30) days from the date respondent's opening brief on the merits is filed.

S084014

KRAMER ON DISCIPLINE
Probation modified

Good cause appearing, Respondent's probation in S084014 is extended to June 30, 2004 on the same conditions as ordered by this Court in its order filed on February 16, 2000, as modified by its order filed July 9, 2002, except for the probation condition regarding restitution, which shall be paid as set forth in the State Bar's recommendation to extend time, filed April 2, 2003, to wit, the time to pay restitution to Commercial Transport International (USA) Inc. (or the Client Security Fund, if appropriate) and to provide satisfactory proof of payment to the State Bar's Probation Unit is extended to 30 days following the effective date of this order; and the time to pay restitution to First Central Bank or to Ninie Chang, if she has paid (or the Client Security Fund, if appropriate), and to provide satisfactory proof of payment to the State Bar's Probation Unit is extended to March 31, 2004.

S113841

HUGHES ON DISCIPLINE
Recommended discipline imposed

It is ordered that **DAVID ALLEN HUGHES, State Bar No. 201264, of Fairfield, California**, be suspended from the practice of law for two years and until he provides proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and present learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, that execution of the suspension be stayed, and that he be placed on probation for five years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its order

approving stipulation filed on January 3, 2003. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in equal installments for membership years 2004 and 2005.

S113846

ANDERSON ON DISCIPLINE
Recommended discipline imposed

It is ordered that **WILLIAM BARTLEY ANDERSON, State Bar No. 53070**, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on January 15, 2003. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in equal installments for membership years 2004, 2005 and 2006.

S113848

CHAROS ON DISCIPLINE
Recommended discipline imposed

It is ordered that **GLENN W. CHAROS, State Bar No. 115506**, be suspended from the practice of law for 15 months, that execution of the suspension be stayed, and that he be placed on probation for three years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed

on December 30, 2002. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in equal installments for membership years 2004, 2005 and 2006.

S113855

KHAVARIAN ON DISCIPLINE
Recommended discipline imposed

It is ordered that **KOOROS J. KHAVARIAN, State Bar No. 171550**, be suspended from the practice of law for two years, that execution of the suspension be stayed, and that he be actually suspended from the practice of law for one year, as recommended by the Hearing Department of the State Bar Court in its decision filed December 16, 2002; and until the State Bar Court grants a motion to terminate his actual suspension pursuant to rule 205 of the Rules of Procedure of the State Bar of California. Respondent is also ordered to comply with the conditions of probation, if any, hereinafter imposed by the State Bar Court as a condition for terminating his actual suspension. If respondent is actually suspended for two years or more, he shall remain actually suspended until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. It is further ordered that respondent take and pass the Multistate Professional Responsibility Examination during the period of his actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955 of the California Rules of Court, and that respondent perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after

the effective date of this order.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S113866

KERR ON DISCIPLINE

Recommended discipline imposed

It is ordered that **DUDLEY RANDALL KERR, State Bar No. 167402**, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be actually suspended from the practice of law for 90 days and until he returns client file to Debra Duenas, as recommended by the Hearing Department of the State Bar Court in its decision filed on December 27, 2002; and until the State Bar Court grants a motion to terminate his actual suspension pursuant to rule 205 of the Rules of Procedure of the State Bar of California. Respondent is also ordered to comply with the conditions of probation, if any, hereinafter imposed by the State Bar Court as a condition for terminating his actual suspension. If respondent is actually suspended for two years or more, he shall remain actually suspended until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. It is further ordered that respondent take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order or during the period of his actual suspension, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that respondent comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective

date of this order.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S113867

KNEBEL ON DISCIPLINE
Recommended discipline imposed

It is ordered that **KEVIN M. KNEBEL, State Bar No. 189165**, be suspended from the practice of law for two years, that execution of the suspension be stayed, and that he be placed on probation for one year subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on December 30, 2002. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

S113877

MENDELL ON DISCIPLINE
Recommended discipline imposed

It is ordered that **PAULA CAROL MENDELL, State Bar No. 134981**, be suspended from the practice of law for 90 days, that execution of suspension be stayed, and that he be placed on probation for one year on condition that he be actually suspended for 30 days. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed January 14, 2003. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the

effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

S113919

TUCKER ON DISCIPLINE
Recommended discipline imposed

It is ordered that **HUGH C. TUCKER, State Bar No. 144070**, be suspended from the practice of law for two years and until he provides proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and present learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for 45 days. Respondent is also ordered to comply with the other conditions of probation, including restitution, recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed January 24, 2003. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in equal installments for membership years 2004, 2005 and 2006

S114034

LUGASH ON DISCIPLINE
Recommended discipline imposed: disbarred

It is hereby ordered that **JEFFREY BRENT LUGASH, State Bar No. 41458**, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. **Jeffrey Brent Lugash** is also ordered to comply with rule 955 of the California Rules of Court, and

to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.
*(See Bus. & Prof. Code, § 6126, subd. (c).)

S114038**KWAN ON DISCIPLINE**

Recommended discipline imposed

It is ordered that **HIRAM KWAN, State Bar No. 24340**, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on January 16, 2003. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in equal installments for membership years 2004 and 2005.

S116087**LANGENBAHN ON RESIGNATION**

Resignation accepted with disc. proceeding pending

The voluntary resignation of **RONALD L. LANGENBAHN, State Bar No. 46895**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 955 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.
*(See Bus. & Prof. Code, § 6126, subd. (c).)

